

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:93CR215-6-GCM

UNITED STATES OF AMERICA)
)
vs.) ORDER
)
CARLOS EMANUEL KINARD)
)
) _____)

This matter is before the Court upon the Defendant's Motion to Seal his sentencing memorandum and attached exhibits. (Doc. No. 300).

When a party makes a request to seal judicial records, the Court must (1) give the public notice and a reasonable opportunity to challenge the request to seal; (2) “consider less drastic alternatives to sealing;” and (3) if it decides to seal, make specific findings and state the reasons for its decision to seal rather than choosing other alternatives. *Virginia Dep’t of State Police v. Washington Post*, 386 F.3d 567, 576 (4th Cir. 2004). In accordance with the law of this Circuit as well as the Local Rules, the Court has considered the Motion to Seal, the public’s interest in access to such materials, and alternatives to sealing. The public has been provided with adequate notice and an opportunity to object to the Defendant’s motion. Defendant filed his motion on November 8, 2024, and it has been accessible to the public through the Court’s electronic case filing system since that time. The Court determines that no less restrictive means other than sealing is sufficient because a public filing of such materials would reveal sensitive information. The Court concludes that the sealing of these documents is narrowly tailored to serve the interest of protecting the confidential information.

IT IS THEREFORE ORDERED that the Motion to Seal is hereby GRANTED, and the following documents and materials shall be filed under seal until further Order of this Court: Document numbers 299 and 303.

IT IS SO ORDERED.

Signed: November 19, 2024



Graham C. Mullen
United States District Judge

